

IN THE CLAIMS:

Please cancel Claims 80 to 84, 86, 88, 90, 94, 96 and 105 to 108 without prejudice or disclaimer of subject matter and add new Claims 109 to 113 as shown below. The claims, as pending in the subject application, read as follows:

1. to 108. (Canceled)

109. (New) An image transmission apparatus for transmitting an image via a transmission path, comprising:

a reception unit adapted to receive a request for the image;

a detection unit adapted to detect a transmittable rate of the transmission path, upon receiving the request by the reception unit;

a selection unit adapted to select a resolution corresponding to the transmittable rate detected by the detection unit;

a transmission unit adapted to transmit the image, having the resolution selected by the selection unit, in the transmittable rate detected by the detection unit; and

a charge unit adapted to charge a user for transmission of the image having the resolution selected by the selection unit based on the transmittable rate detected by the detection unit.

110. (New) An apparatus according to Claim 109, wherein the request received by the reception unit includes designation of a resolution, and if the transmittable rate detected by the detection unit is larger than a transmittable rate corresponding to the designated resolution, the selection unit executes the selection process.

111. (New) An apparatus according to Claim 109, wherein the request received by the reception unit includes designation of a resolution, and the apparatus further comprises a notification unit adapted to notify that the transmittable rate detected by the detection unit is lower than a transmittable rate corresponding to the designated resolution.

112. (New) A computer-readable medium on which is stored a computer-readable program for implementing an image transmission method for transmitting an image via a transmission path, said program comprising:

code for a reception step of receiving a request for the image;

code for a detection step of detecting a transmittable rate of the transmission path, upon receiving the request in the reception step;

code for a selection step of selecting a resolution corresponding to the transmittable rate detected in the detection step;

code for a transmission step of transmitting the image, having the resolution selected in the selection step, in the transmittable rate detected in the detection step; and

code for a charge step of charging a user for transmission of the image having the resolution selected in the selection step based on the transmittable rate detected by the detection step.

113. (New) A method for transmitting an image via a transmission path, comprising:

a reception step of receiving a request for the image;

a detection step of detecting a transmittable rate of the transmission path, upon

receiving the request in the reception step;

a selection step of selecting a resolution corresponding to the transmittable rate detected in the detection step;

a transmission step of transmitting the image, having the resolution selected in the selection step, in the transmittable rate detected in the detection step; and

a charge step of charging a user for transmission of the image having the resolution selected in the selection step based on the transmittable rate detected by the detection step.